

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DIAMOND JARAMILLO,

Plaintiff,

v.

No. 1:20-cv-1286 RB/KRS

CHRISTOPHER PADILLA and  
ROBERT GONZALES,

Defendants.

**SECOND INITIAL SCHEDULING ORDER**

Following entry of an order ruling on Defendant Gonzales' Motion to Dismiss on Grounds of Qualified Immunity, (Doc. 38), this case is before the Court for an amended case management scheduling order and to reset the settlement conference. The parties are directed to amend their Joint Status Report and Provisional Discovery Plan, (Doc. 15), to include new proposed pretrial deadlines. Actual dates will be promulgated by order of the Court to be entered after the Rule 16 scheduling conference scheduled pursuant to this order. Plaintiff is responsible for filing the Amended Joint Status Report and Provisional Discovery Plan by **October 12, 2021**. In accordance with the Federal Rules of Civil Procedure, a telephonic Rule 16 scheduling conference will be conducted on **October 19, 2021, at 9:30 a.m.** Counsel shall call **(888) 398-2342** and enter access code **8193818** to be connected to the telephonic Rule 16 scheduling conference.

At the Rule 16 scheduling conference, counsel should be prepared to discuss discovery needs and scheduling, all claims and defenses, the use of scientific evidence, whether a *Daubert*<sup>1</sup> hearing is necessary, initial disclosures, and the time of expert disclosures and reports under

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<sup>1</sup> *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993).

Federal Rule of Civil Procedure 26(a)(2). The Court, counsel and parties pro se will also discuss settlement prospects and alternative dispute resolution possibilities. Parties represented by counsel may, but are not required to, attend the telephonic scheduling conference.

Good cause must be shown, and the express written approval obtained from the Court, for any modifications of the dates in the scheduling order that issues from the JSR.

Pretrial practice in this case shall be in accordance with the above.

**IT IS SO ORDERED.**

A handwritten signature in black ink that reads "Kevin Sweazea". The signature is written in a cursive, flowing style.

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KEVIN R. SWEAZE  
UNITED STATES MAGISTRATE JUDGE